

BEFORE THE CORPORATION COMMISSION OF OKLAHOMA

**IN THE MATTER OF THE APPLICATION OF)
OKLAHOMA GAS AND ELECTRIC COMPANY)
FOR COMMISSION PREAPPROVAL OF NEW) CAUSE NO. PUD 2023-000038
GENERATION CAPACITY PURSUANT TO 17 O.S.)
SECTION 286(C))**

RESPONSIVE TESTIMONY AND EXHIBITS OF

LISA V. PERRY

ON BEHALF OF

WALMART INC.

AUGUST 31, 2023

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Exhibits:

Exhibit LVP-1: Witness Qualifications Statement

1 **I. Introduction**

2 **Q. PLEASE STATE YOUR NAME, BUSINESS ADDRESS, AND OCCUPATION.**

3 A. My name is Lisa V. Perry. My business address is 2608 SE J Street, Bentonville,
4 Arkansas 72716-0550. I am employed by Walmart Inc. (“Walmart”) as Senior
5 Manager, Utility Partnerships – Energy Transformation.

6 **Q. ON WHOSE BEHALF ARE YOU TESTIFYING IN THIS CAUSE?**

7 A. I am testifying on behalf of Walmart.

8 **Q. PLEASE DESCRIBE YOUR EDUCATION AND EXPERIENCE.**

9 A. I received a J.D. in 1999 and a LL.M. in Taxation in 2000 from the University of Florida
10 Levin College of Law. From 2001 to 2019, I was in private practice, with an emphasis
11 in Energy Law from 2007 to 2019. My practice included representing large commercial
12 clients before the utility regulatory commissions in Colorado, Texas, New Mexico,
13 Arkansas, and Louisiana in matters ranging from general rate cases to renewable energy
14 programs. I joined the energy department at Walmart in September 2019 as Senior
15 Manager, Energy Services. My Witness Qualifications Statement is attached as Exhibit
16 LVP-1.

17 **Q. HAVE YOU PREVIOUSLY SUBMITTED TESTIMONY BEFORE THE**
18 **CORPORATION COMMISSION OF OKLAHOMA (“COMMISSION”)?**

19 A. Yes, I testified before the Commission in Cause Nos. PUD 201900048, PUD
20 202000021, PUD 202000097, PUD 202100055, PUD 202100072, PUD 202100076,
21 PUD 202100164, and PUD 202200121.

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1 **Q. HAVE YOU PREVIOUSLY SUBMITTED TESTIMONY BEFORE OTHER**
2 **STATE REGULATORY COMMISSIONS?**

3 A. Yes. I have previously submitted testimony before the state regulatory commissions for
4 Arkansas, Colorado, Connecticut, Florida, Illinois, Indiana, Kansas, Kentucky,
5 Louisiana, Michigan, South Carolina, Texas, Virginia, and Wyoming. Additionally, I
6 have provided legal representation for customer stakeholders before the state regulatory
7 commissions for Colorado, Texas, Arkansas, Louisiana, and New Mexico in the cases
8 listed under "Commission Dockets" in Exhibit LVP-1.

9 **Q. ARE YOU SPONSORING EXHIBITS IN YOUR TESTIMONY?**

10 A. Yes. I am sponsoring the exhibits listed in the Table of Contents.

11 **Q. PLEASE BRIEFLY DESCRIBE WALMART'S OPERATIONS IN**
12 **OKLAHOMA.**

13 A. As shown on Walmart's website, Walmart operates 134 retail units, and two
14 distribution centers and employs over 34,000 associates in Oklahoma. In fiscal year
15 ending 2023, Walmart purchased \$632 million worth of goods and services from
16 Oklahoma-based suppliers, supporting over 23,000 supplier jobs.¹

17 **Q. PLEASE BRIEFLY DESCRIBE WALMART'S OPERATIONS WITHIN THE**
18 **OKLAHOMA SERVICE TERRITORY FOR OKLAHOMA GAS AND**
19 **ELECTRIC COMPANY ("OG&E" OR "COMPANY").**

20 A. Walmart has approximately 56 retail stores, including Supercenters, Sam's Clubs, and

¹ <http://corporate.walmart.com/our-story/locations/united-states/oklahoma>

1 Neighborhood Markets, plus related facilities, in OG&E's Oklahoma service territory.

2 Primarily, these facilities are served on the Power & Light – Time of Use Schedule.

3

4 **II. Purpose of Testimony and Summary of Recommendations**

5 **Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?**

6 A. The purpose of my testimony is to respond to OG&E's Application filed on May 31,
7 2023 ("Application") in which it is seeking: (i) approval of and a determination of need
8 to construct two combustion gas plants, the Horseshoe Lake Flexible Resource
9 Combustion Turbines ("HL CTs"), with an estimated in-service date of late 2026 and
10 (ii) to recover associated costs on a temporary basis through a new Generation Capacity
11 Rider ("GCR Rider"). Specifically, my testimony will address the Company's proposal
12 to recover HL CT costs through the GCR Rider as opposed to base rates and the rate
13 design for the GCR Rider.

14 **Q. PLEASE SUMMARIZE WALMART'S RECOMMENDATIONS TO THE**
15 **COMMISSION.**

16 A. Walmart makes the following recommendations to the Commission:

17 (1) If the Commission approves the Company's proposal to recover the HL CTs costs
18 through the GCR Rider, the Commission should also require OG&E to file a base
19 rate case at the earliest possible date at which the assets can be included in an
20 historical test year.

21 (2) For purposes of this cause, Walmart does not oppose the Company's proposal to
22 use the production demand allocator from its most recent rate case to allocate the

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1 costs associated with the HL CTs among its customer classes. However, to the
2 extent that alternative production cost allocation methodologies or modifications to
3 the Company's methodology are proposed by other parties, Walmart reserves the
4 right to address the alternatives.

5 (3) If the Commission approves the GCR Rider, Walmart recommends that the
6 Commission reject the Company's proposal to recover HL CTs costs from demand-
7 metered customers through an energy, or \$/kWh, charge, and instead direct the
8 Company to recover these costs from demand-metered customers through a
9 demand, or \$/kW, charge.

10 **Q. DOES THE FACT THAT YOU MAY NOT ADDRESS AN ISSUE OR**
11 **POSITION ADVOCATED BY ANY PARTY IN THE CAUSE INDICATE**
12 **WALMART'S SUPPORT?**

13 A. No. The fact that an issue is not addressed herein or in related filings should not be
14 construed as an endorsement of, agreement with, or consent to any filed position.

15
16 **III. Summary of the Company's Proposal**

17 **Q. PLEASE DESCRIBE THE HL CTs THAT THE COMPANY IS SEEKING TO**
18 **CONSTRUCT?**

19 A. The Company proposes to construct two new simple cycle natural gas combustion
20 turbines that will have the future ability to burn hydrogen as a blended fuel in place of

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1 the currently retiring Horseshoe Lake 6 and 7 vintage gas-fired steam units.² These
2 units will have the ability to turn on and off quickly for meeting peak power needs and
3 variations in demand in addition to providing ancillary services to the grid.³

4 **Q. WHY IS THE COMPANY PROPOSING TO CONSTRUCT THE HL CTs AT**
5 **THIS TIME?**

6 A It is my understanding that by adding 448 MW of capacity in late 2026, the HL CTs
7 will meet a portion of the needed capacity that the Company identified in its recent
8 2021 Integrated Resource Plan submitted to the Commission in 2021.⁴

9 **Q. WHAT IS YOUR UNDERSTANDING OF THE COMPANY'S EXPECTED**
10 **COST OF THE HL CTs?**

11 A. It is my understanding that the construction costs of the HL CTs are estimated at \$330.5
12 million, and after adjusting for AFUDC, capitalized property tax, and capitalized costs
13 associated with the Long-Term Service Agreement, are estimated at \$394.3 million.⁵

14

15 **IV. Recovery of HL CTs Costs – GCR Rider**

16 **(A) Overview**

17 **Q. WHAT IS YOUR UNDERSTANDING OF HOW THE COMPANY PROPOSES**
18 **TO RECOVER COSTS ASSOCIATED WITH THE HL CTs?**

19 A. My understanding is that the Company seeks to recover the revenue requirement for

² See Direct Testimony of Kelly M. Riley, p. 4, lines 2-8.

³ See *id.*

⁴ See *id.*, p. 15, lines 23-26.

⁵ See Direct Testimony of Jason J. Thenmadathil (Thenmadathil Direct”), p. 4, lines 11-16.

1 the HL CTs, including a return on the assets equal to the then approved rate of return,
2 through the proposed GCR Rider beginning once the project is placed into service and
3 terminating when those costs are included in base rates through the Company's next
4 general rate case.⁶

5 **Q. WHAT IS THE ESTIMATED REVENUE REQUIREMENT FOR THE GCR**
6 **RIDER?**

7 A. The Company estimates a Year 1 Oklahoma jurisdictional revenue requirement for the
8 GCR Rider of \$40,386,984 and for Year 2 of \$39,274,411.⁷

9
10 ***(B) Recovery Outside of Base Rates***

11 **Q. HOW DOES WALMART BELIEVE COST RECOVERY FOR NEW**
12 **GENERATION ASSETS SHOULD BE DETERMINED?**

13 A. Walmart believes the recovery of generation asset costs is best determined in a general
14 rate case, as all costs, benefits, and risks - both those related to the HL CTs as well as
15 those interrelated with, or related to the Company's overall business - can be
16 systematically considered (e.g., authorized ROE).

17 **Q. DOES THE PROPOSED RECOVERY OF THE HL CTs THROUGH THE GCR**
18 **RIDER SHIFT THE RISK OF REGULATORY LAG FROM SHAREHOLDERS**
19 **TO CUSTOMERS?**

20 A. Yes, it does. The proposed recovery of the HL CTs costs through the GCR Rider

⁶ See *id.*, p. 3, lines 18-24 and p. 5, lines 2-5; see also Direct Testimony of Gwin Cash ("Cash Direct"), p. 3, lines 12-17.

⁷ See Thenmadathil Direct, p. 4, Chart 1: Revenue Requirement Summary.

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1 reduces regulatory lag as compared to recovery through base rates, and thereby reduces
2 the shareholders' risk of cost recovery. Additionally, the Company proposes the GCR
3 Rider to be subject to true-up, which is an additional risk reducing structure not
4 afforded to costs recovered through its base rates.⁸ No such consideration for this risk
5 shift has been proposed by the Company, and the shareholders' risk due to regulatory
6 lag will be assumed by customers during the time in which the HL CTs costs are
7 recovered through the proposed rider.

8 **Q. CAN THE COMMISSION ADDRESS THIS CONCERN AS PART OF**
9 **APPROVAL OF THE COMPANY'S GCR RIDER PROPOSED IN THIS**
10 **CAUSE?**

11 A. Yes, it can. If the Commission approves the Company's proposal to recover the HL
12 CTs costs through the GCR Rider, the Commission should also require OG&E to file
13 a base rate case at the earliest possible date at which the assets can be included in an
14 historical test year.

15

16 ***(C) Cost Allocation and Rate Design***

17 **Q. WHAT IS YOUR UNDERSTANDING OF THE COMPANY'S PROPOSED**
18 **ALLOCATION OF THE COSTS ASSOCIATED WITH THE HL CTs AMONG**
19 **ITS OKLAHOMA JURISDICTIONAL CUSTOMER CLASSES?**

20 A. My understanding is that the Company proposes to allocate the revenue requirement

⁸ See Direct Exhibit GC-1, Standard Pricing Schedule: GCR, Generation Capacity Rider tariff sheet ("GCR tariff sheet"), Original Sheet No. 52.31.

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1 for the GCR Rider among the Oklahoma rate classes by using the production demand
2 allocator from its last base rate case.⁹

3 **Q. DOES WALMART HAVE ANY OBJECTIONS TO THE COMPANY'S**
4 **PROPOSED COST ALLOCATION METHODOLOGY?**

5 A. For purposes of this cause, Walmart does not oppose the Company's proposal to use
6 the production demand allocator from its most recent rate case to allocate the costs
7 associated with the HL CTs among its customer classes. However, to the extent that
8 alternative production cost allocation methodologies or modifications to the
9 Company's methodology are proposed by other parties, Walmart reserves the right to
10 address the alternatives.

11 **Q. WHAT IS YOUR UNDERSTANDING OF THE RATE DESIGN PROPOSED**
12 **FOR THE GCR RIDER?**

13 A. It is my understanding that the Company proposes to recover costs through the GCR
14 Rider from all customers on an energy, or \$/kWh basis.¹⁰

15 **Q. DOES WALMART HAVE A CONCERN WITH THE COMPANY'S**
16 **PROPOSED GCR RIDER RATE DESIGN?**

17 A. Yes, it does. If the GCR Rider is approved by the Commission, the Company proposes
18 to recover costs collected through the GCR Rider – which will include costs associated
19 with adding new generation the Company's system – differently than it incurs those
20 costs. Specifically, the Company is proposing to recover capital costs to construct two

⁹ See Cash Direct, p. 4, lines 19-24.

¹⁰ See *id.*, p. 3, lines 25-26.

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1 new gas generation plants, which are generally fixed demand-related costs, through the
2 GCR Rider as a factor applied to a \$/kWh energy charge, or on an energy basis, from
3 all customers including those who currently pay a demand charge.¹¹

4 **Q. HOW SHOULD THESE FIXED COSTS BE RECOVERED FROM DEMAND-**
5 **METERED CUSTOMERS IN ORDER TO BETTER ALIGN WITH COST**
6 **CAUSATION PRINCIPLES?**

7 A. Fixed costs are defined as costs that do not vary with the level of output and must be
8 paid even if there is no output and do not change with fluctuations in the amount of
9 electricity generated.¹² For example, capital costs for building new generation to meet
10 peak demand, such as the HL CTs, do not change based on the energy used by the
11 customer. Since these costs are fixed, it should be treated as such, with the costs
12 recovered from demand-metered customers on a demand, or \$/kW, basis. Recovery of
13 fixed costs on a variable, or energy, basis, as proposed by the Company, will introduce
14 unfair shifts in cost responsibility from lower load factor customers to higher load
15 factor customers.

16 **Q. PLEASE EXPLAIN HOW CHARGING FIXED COSTS THROUGH AN**
17 **ENERGY CHARGE DISADVANTAGES HIGHER LOAD FACTOR**
18 **CUSTOMERS?**

19 A. The shift in fixed costs from per kW demand charges to per kWh energy charges results
20 in a shift in cost responsibility from lower load factor customers to higher load factor

¹¹ See *id.*; see also GCR tariff sheet, Original Sheet No. 52.30.

¹² Pindyck, Robert S. and Daniel L. Rubinfeld, "Microeconomics", 5th ed., 2001, p. 206.

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1 customers. This results in a misallocation of cost responsibility as higher load factor
2 customers overpay for the fixed HL CTs costs incurred by the Company. In other
3 words, higher load factor customers are paying for a portion of the costs that are
4 attributable to the lower load factor customers simply because of the manner in which
5 the Company proposes to recover HL CTs costs.

6 **Q. WHAT IS WALMART'S RECOMMENDATION TO THE COMMISSION**
7 **REGARDING THE PROPER COST RECOVERY METHODOLOGY FOR**
8 **THE GCR RIDER?**

9 A. If the Commission approves the GCR Rider, Walmart recommends that the
10 Commission reject the Company's proposal to recover HL CTs costs from demand-
11 metered customers through an energy, or \$/kWh, charge, and instead direct the
12 Company to recover these costs from demand-metered customers through a demand,
13 or \$/kW, charge.

14 **Q. DOES THIS CONCLUDE YOUR TESTIMONY?**

15 A. Yes.

Lisa V. Perry

Senior Manager, Utility Partnerships – Energy Transformation
Walmart Inc.

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Business Phone: (479) 274-0238

EXPERIENCE

September 2019 – Present

Walmart Inc., Bentonville, AR

Senior Manager, Energy Services

November 2017 – September 2019

Oram & Houghton PLLC, Round Rock, TX

Of Counsel, Energy Law

February 2016 – November 2017

Ray Quinney & Nebeker, P.C., Salt Lake City, UT

Of Counsel, Energy Law

September 2007 – February 2016

Welborn, Sullivan, Meck & Tooley, P.C., Denver, CO

Partner, Energy Law

EDUCATION

2000 University of Florida Levin College of Law LL.M., Taxation

1999 University of Florida Levin College of Law J.D.

1996 University of South Florida B.A., Criminology

1993 University of South Florida B.A., Psychology

FILED TESTIMONY

2023

State Corporation Commission of the State of Kansas Docket No. 23-EKCE-775-RTS: In the Matter of the Joint Application of Evergy Kansas Central, In., Evergy Kansas South, Inc., and Evergy Metro, Inc. for Approval to Make Certain Changes in their Charges for Electric Service.

Issue: General rate case.

Michigan Public Service Commission Case No. U-21389: In the matter of the application of CONSUMERS ENERGY COMPANY for authority to increase its rates for the generation and distribution of electricity and for other relief.

Issue: General rate case.

Public Service Commission of Wyoming Docket No. 20000-633-ER-23 (Record No. 17252): In the Matter of the Application of Rocky Mountain Power for Authority to Increase its Retail Electric

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Service Rates by Approximately \$140.2 Million Per Year or 21.6 Percent and to Revise the Energy Cost Adjustment Mechanism.

Issue: General Rate Case.

Public Utility Commission of Texas Docket No. 54634, SOAH Docket No. 473-23-14020: Application of Southwestern Public Service Company for Authority to Change Rates.

Issue: General Rate Case.

Commonwealth of Virginia State Corporation Commission Case No. PUR-2023-00002: Application of Appalachian Power Company for a 2023 triennial review of its base rates, terms and conditions pursuant to § 56-585.1 of the Code of Virginia.

Issue: Triennial review of rates.

Michigan Public Service Commission Case No. U-21297: In the matter of the Application of DTE ELECTRIC COMPANY for authority to increase its rates, amend its rate schedules and rules governing the distribution and supply of electric energy, and for miscellaneous accounting authority.

Issue: General rate case.

Indiana Utility Regulatory Commission Cause No. 45816: Investigation of the Indiana Utility Regulatory Commission Regarding the Public Utility Regulatory Policies Act Section 111(d) Standards as Amended by the Infrastructure Investment and Jobs Act.

Issue: Electric vehicle charging programs and tariffs.

Illinois Commerce Commission Docket No. 23-0055: Commonwealth Edison Company Petition for Approval of a Multi-Year Rate Plan under Section 16-108.18 of the Public Utilities Act.

Issue: Multi-Year Rate Plan rate case.

Illinois Commerce Commission Docket No. 23-0082: Ameren Illinois Company d/b/a Ameren Illinois Petition for Approval of a Multi-Year Rate Plan pursuant to 220 ILCS 5/16-108.18.

Issue: Multi-Year Rate Plan rate case.

Illinois Commerce Commission Docket No. 23-0067: Ameren Illinois Company d/b/a Ameren Illinois Proposed General Increase in Rates and Revisions to Other Terms and Conditions of Service. (Tariff filed January 6, 2023).

Issue: Gas general rate case.

Illinois Commerce Commission Docket No. 23-0066: Northern Illinois Gas Company d/b/a Nicor Gas Company Proposed General Increase in Rates and Revisions to Other Terms and Conditions of Service. (Tariff filed January 3, 2023).

Issue: Gas general rate case.

Indiana Utility Regulatory Commission Cause No. 45843: Verified Petition of Indianapolis Power & Light Company d/b/a AES Indiana for Commission Approval of an Electric Vehicle Portfolio, Including: (1) A Public Use Electric Vehicle Pilot Program Pursuant to Ind. Code Ch. 8-1-43; and

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(2) Time-Varying and Other Alternative Pricing Structures and Tariffs Pursuant to Ind. Code §8-1-2.5-6(3); and for Approval of Associated Accounting and Ratemaking.

Issue: Electric vehicle charging programs and tariffs.

Arkansas Public Service Commission Docket No. 22-065-U: In the Matter of the Application of Southwestern Electric Power Company for a Certificate of Public Convenience and Necessity to Operate the John W. Turk, Jr. Power Plant to Supply a Public Service to its Arkansas Customers and for Approval of a Generation Cost Recovery Rider to Recover its Costs in Arkansas Rates.

Issue: Cost recovery from customers of an existing generation resource.

Commonwealth of Virginia State Corporation Commission Case No. PUR-2022-00166: Petition of Appalachian Power Company for consideration of the appropriate framework for cost recovery, the allocation of costs net of benefits pursuant to Code § 56-585.5 F, and class and jurisdictional cost allocation.

Issue: Recovery methodology and cost allocation of VCEA-related costs.

Oklahoma Corporation Commission Cause No. PUD 202200093: Application of Public Service Company of Oklahoma, an Oklahoma Corporation, for an Adjustment in its Rates and Charges and the Electric Service Rules, Regulations and Conditions of Service for Electric Service in the State of Oklahoma and to Approve a Formula Base Rate Proposal.

Issue: General rate case.

Oklahoma Corporation Commission Cause No. PUD 202200121: Application of Public Service Company of Oklahoma (PSO) for Approval of the Cost Recovery of the Selected Wind and Solar Facilities (Renewable Resources); a Determination there is a Need for the Renewable Resources; Approval for Cost Recovery of Prudent Costs Incurred by PSO for the Renewable Resources; Approval of a Temporary Cost Recovery Rider; Approval of Certain Treatment of Federal Production Tax Credits; and Such Other Relief the Commission Deems PSO is Entitled.

Issue: Acquisition of renewable generation and recovery through a rider.

Arkansas Public Service Commission Docket No. 22-061-U: In the Matter of an Application into Potential Cost Shifting Associated with Net Metering.

Issue: Net metering tariff and any potential cost shifting between participating and non-participating customers.

2022

Commonwealth of Virginia State Corporation Commission Case No. PUR-2022-00124: Petition of Virginia Electric and Power Company for approval of its 2022 RPS Development Plan under § 56-585.5 D 4 of the Code of Virginia and related requests.

Issue: Approval of 2022 RPS Plan, new renewable projects, PPAs, and cost recovery mechanism, Rider CE, pursuant to the VCEA.

Public Service Commission of South Carolina Docket No. 2022-254-E: In re: Application of Duke Energy Progress, LLC for Increase in Electric Rates, Adjustments in Electric Rate Schedules and Tariffs, and Request for an Accounting Order.

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Issue: General rate case.

Public Utility Commission of Texas Docket No. 53719, SOAH Docket No. 473-22-04394:
Application of Entergy Texas, Inc. for Authority to Change Rates.

Issue: General rate case.

Louisiana Public Service Commission Docket No. U-36350: Application of Entergy Louisiana, LLC for Recovery in Rates of Costs Related to Hurricane Ida and Related Relief

Issue: Recovery costs related to Hurricane Ida.

Illinois Commerce Commission Docket No. 22-0432 and 22-0442 (cons.): Commonwealth Edison Company Petition for Approval of Beneficial Electrification Plan under the Electric Vehicle Act, 20 ILCS 627/45 and New EV Charging Delivery Classes under the Public Utilities Act, Article IX and Illinois Commerce Commission on its own Motion vs. Commonwealth Edison Company Investigation into Commonwealth Edison Company's Beneficial Electrification Plan Filing pursuant to 20 ILCS 627/45

Issue: Approval of Beneficial Electrification Plan.

Illinois Commerce Commission Docket No. 22-0431 and 22-0443 (cons.): Ameren Illinois Company d/b/a Ameren Illinois Petition for Approval of Beneficial Electrification Plan pursuant to Section 45 of the Electric Vehicle Act and Illinois Commerce Commission on its own Motion vs. Ameren Illinois Company d/b/a Ameren Illinois Investigation into Ameren Illinois Company's Beneficial Electrification Plan Filing pursuant to 20 ILCS 627/45

Issue: Approval of Beneficial Electrification Plan.

Florida Public Service Commission Docket No. 20220010-EI: In re: Storm protection plan cost recovery clause

Issue: Seeking approval of the cost allocation and recovery methodologies used for storm protection plan cost recovery clause.

Michigan Public Service Commission Case No. U-21224: In the matter of the application of CONSUMERS ENERGY COMPANY for authority to increase its rates for the generation and distribution of electricity and for other relief.

Issue: General rate case.

Commonwealth of Virginia State Corporation Commission Case No. PUR-2021-00156: *Ex Parte*: Establishing a proceeding concerning the allocation of RPS-related costs and the determination of certain proxy values for Virginia Electric and Power Company.

Issue: Allocation methodology for VCEA-related costs and benefits.

Michigan Public Service Commission Case No. U-20836: In the matter of the Application of DTE Electric Company for authority to increase its rates, amend its rate schedules and rules governing the distribution and supply of electric energy, and for miscellaneous accounting authority.

Issue: General rate case.

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Oklahoma Corporation Commission Cause No. PUD 202100164: In the Matter of the Application of Oklahoma Gas and Electric Company for an Order of the Commission Authorizing Applicant to Modify its Rates, Charges, and Tariffs for Retail Electric Service in Oklahoma.

Issue: General Rate Case.

Louisiana Public Service Commission Docket No. U-36190: Application for Certification and Approval of the 2021 Solar Portfolio, Rider Geaux Green Option, Cost Recovery and Related Relief.

Issue: Approval of a voluntary renewable program backed by utility-owned solar assets.

Commonwealth of Virginia State Corporation Commission Case No. PUR-2021-00135: Petition of Appalachian Power Company For approval of its 2021 RPS Plan under § 56-585.5 of the Code of Virginia and related requests.

Issue: Seeking approval of RPS Plan and recovery mechanisms for related costs.

Commonwealth of Kentucky Public Service Commission Case No. 2021-00481: Electronic Joint Application of American Electric Power Company, Inc., Kentucky Power Company and Liberty Utilities Co. for Approval of the Transfer of Ownership and Control of Kentucky Power Company.

Issue: Acquisition of Kentucky Power Company by Liberty Utilities Company.

Public Utility Commission of Texas Docket No. 52451, SOAH Docket No. 473-22-0816: Application of Southwestern Public Service Company for Approval of Advanced Metering System (AMS) Deployment Plan, AMS Surcharge, and Non-Standard Metering Service Fee.

Issue: Approval to implement AMS and recover costs through an additional surcharge.

Arkansas Public Service Commission Docket No. 21-070-U: In the Matter of the Application of Southwestern Electric Power Company for Approval of a General Change in Rates and Tariffs.

Issue: General rate case.

Arkansas Public Service Commission Docket No. 21-087-U: In the Matter of Oklahoma Gas and Electric Company's Request to Extend its Formula Rate Plan Rider.

Issue: Seeking extension of formula rate plan.

2021

Louisiana Public Service Commission Docket No. U-36105: Application for Certification to Deploy Natural Gas-Fired Distributed Generation and Authorization to Implement Rider UODG.

Issue: Approval to implement a distributed generation program and rider recovery.

Public Utility Commission of Texas Docket No. 52389, SOAH Docket No. 473-22-0009: Application of Southwestern Electric Power Company for Advanced Metering System (AMS) Deployment Plan, AMS Surcharge, and Non-Standard Metering Service Fees.

Issue: Approval to implement AMS and recover costs through an additional surcharge.

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Louisiana Public Service Commission Docket No. U-35991: Application for Recovery in Rates of Costs Related to Hurricanes Laura, Delta, Zeta and Winter Storm Uri and for Related Relief.

Issue: Securitization of system restoration costs due to extreme weather conditions.

Oklahoma Corporation Commission Cause No. PUD 202100076: Application of Public Service Company of Oklahoma (“PSO”) for Approval of a Financing Order for the Collection of Increased Costs Caused by the Extreme Winter Weather and Contained in the Regulatory Asset Authorized by Order 717625, Including an Appropriate Carrying Cost, and Such Other Relief as the Commission Deems PSO is Entitled.

Issue: Securitization of excessive fuel costs due to extreme weather conditions.

Colorado Public Utilities Commission Proceeding No. 21A-0141E: In the Matter of the Application of Public Service Company of Colorado for Approval of its 2021 Electric Resource Plan and Clean Energy Plan.

Issue: Seeking approval of utility’s plan to meet legislative renewable and carbon reduction goals.

Arkansas Public Service Commission Docket No. 21-054-TF: In the Matter of the Application of Entergy Arkansas, LLC for a Proposed Tariff Revision Regarding a Green Promise Tariff.

Issue: Seeking approval for a voluntary renewable energy tariff.

Commonwealth of Virginia State Corporation Commission Case No. PUR-2021-00058: Application of Virginia Electric and Power Company for a 2021 triennial review of the rates, terms and conditions for the provision of generation, distribution and transmission services pursuant to § 56-585.1 A of the Code of Virginia.

Issue: General Rate Case.

Public Utility Commission of Texas Docket No. 52040, SOAH Docket No. 473-21-2607: Application of El Paso Electric Company for Advanced Metering System (AMS) Deployment Plan, AMS Surcharge, and Non-Standard Metering Service Fees.

Issue: Approval to implement AMS and recover costs through an additional surcharge.

Oklahoma Corporation Commission Cause No. PUD 202100072: In the Matter of the Application of Oklahoma Gas and Electric Company for a Financing Order Pursuant to the February 2021 Regulated Utility Consumer Protection Act Approving Securitization of Costs Arising from the Winter Weather Event of February 2021.

Issue: Securitization of excessive fuel costs due to extreme weather conditions.

Public Utility Commission of Texas Docket No. 51802, SOAH Docket No. 473-21-1892: Application of Southwestern Public Service Company for Authority to Change Rates.

Issue: General rate case.

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Oklahoma Corporation Commission Cause No. PUD 202100055: Application of Public Service Company of Oklahoma, an Oklahoma Corporation, for an Adjustment in its Rates and Charges and the Electric Service Rules, Regulations and Conditions of Service for Electric Service in the State of Oklahoma.

Issue: General rate case.

Louisiana Public Service Commission Docket No. U-35441: Application of Southwestern Power Company (SWEPCO) for Approval of a Change in Rates, Extension of Formula Rate Plan and Other Related Relief.

Issue: General rate case and extension of formula rate plan.

Michigan Public Service Commission Case No. U-20963: In the matter of the application of Consumers Energy Company for authority to increase its rates for the generation and distribution of electricity and for other relief.

Issue: General rate case.

Florida Public Service Commission Docket No. 20210010-EI: In re: Storm protection plan cost recovery clause

Issue: Seeking approval of the cost allocation and recovery methodologies used for storm protection plan cost recovery clause.

Arkansas Public Service Commission Docket No. 19-008-U: In the Matter of the Application of Southwestern Electric Power Company for Approval of a General Change in Rates and Tariffs.

Issue: Seeking approval for amortization period and carrying costs for extraordinary fuel costs related to Winter Storm Uri.

Public Utility Regulatory Authority of Connecticut Docket No. 17-12-03RE11: PURA Investigation into Distribution System Planning of the Electric Distribution Companies – New Rate Designs and Rates Review.

Issue: Investigation into low-income rates and economic development rates.

Public Utility Commission of Texas Docket No. 51415, SOAH Docket No. 473-21-0538: Application of Southwestern Electric Power Company for Authority to Change Rates.

Issue: General rate case.

Commonwealth of Virginia State Corporation Commission Case No. PUR-2020-00170: Petition of Virginia Electric and Power Company for approval of a rate adjustment clause, designated Rider RPS, under § 56-585.1 A 5 d of the Code of Virginia.

Issue: Seeking approval of a Rider RPS to recover costs associated with REC purchases made to comply with the Virginia Clean Economy Act.

Walmart Inc.
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Commonwealth of Kentucky Public Service Commission Case No. 2020-00350: Electronic Application of Louisville Gas and Electric Company for an Adjustment of its Electric and Gas Rates, a Certificate of Public Convenience and Necessity to Deploy Advanced Metering Infrastructure, Approval of Certain Regulatory and Accounting Treatments, and Establishment of a One-Year Surcredit.

Issue: General rate case.

Commonwealth of Kentucky Public Service Commission Case No. 2020-00349: Electronic Application of Kentucky Utilities Company for an Adjustment of its Electric Rates, a Certificate of Public Convenience and Necessity to Deploy Advanced Metering Infrastructure, Approval of Certain Regulatory and Accounting Treatments, and Establishment of a One-Year Surcredit.

Issue: General rate case.

Commonwealth of Virginia State Corporation Commission Case No. PUR-2020-00164: *Ex Parte:* Allocating RPS costs to certain customers of Virginia Electric and Power Company.

Issue: Determining which costs and benefits of Virginia Clean Economy Act-related assets should be allocated to non-utility customers and seeking approval of a Rider NBC to recover/credit some of those costs and/or benefits.

Oklahoma Corporation Commission Cause No. PUD 202000097: Application of Public Service Company of Oklahoma (“PSO”) for Approval of the Cost Recovery of Facilities to be Located at Ft. Sill; a Determination there is a Need for the Facilities; Approval for Future Inclusion in Base Rates for Cost Recovery of Prudent Costs Incurred by PSO for the Facilities; Approval of a Temporary Cost Recovery Rider; and Such Other Relief the Commission Deems PSO is Entitled.

Issue: Seeking approval to acquire a solar facility and gas facility sited at Fort Sill.

Commonwealth of Virginia State Corporation Commission Case No. PUR-2020-00134: *Ex Parte:* Establishing 2020 RPS Proceeding for Virginia Electric and Power Company.

Issue: Seeking approval of a Renewable Portfolio Standard Plan and rider pursuant to the Virginia Clean Economy Act (VCEA).

2020

Commonwealth of Virginia State Corporation Commission Case No. PUR-2020-00135: *Ex Parte:* Establishing 2020 RPS Proceeding for Appalachian Power Company.

Issue: Seeking approval of a Renewable Portfolio Standard Plan pursuant to the Virginia Clean Economy Act (VCEA).

Public Service Commission of South Carolina Docket No. 2019-209-E: In re: South Carolina Energy Freedom Act (House Bill 3659) Proceeding Related to Dominion Energy South Carolina, Incorporated and S.C. Code Ann. Section 58-41-30 Related to Electrical Utilities and Their Current Voluntary Renewable Energy Program, and Such Other Proceedings Required By the Commission.

Issue: Seeking approval of a Voluntary Renewable Energy Rider.

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Public Service Commission of South Carolina Docket No. 2020-125-E: In re: Application of Dominion Energy South Carolina, Incorporated for Adjustment of Rates and Charges.

Issue: General rate case.

Arkansas Public Service Commission Docket No. 16-036-FR: In the Matter of Formula Rate Plan Filings of Entergy Arkansas, Inc., Pursuant to APSC Docket No. 15-015-U.

Issue: Seeking five-year extension of Formula Rate Plan.

Colorado Public Utilities Commission Proceeding No. 20A-0204E: In the Matter of the Application of Public Service Company of Colorado for Approval of its 2021-2023 Transportation Electrification Plan.

Issue: Seeking approval of utility's plan to encourage EV adoption in its service territory.

Commonwealth of Kentucky Public Service Commission Case No. 2020-00174: Electronic Application of Kentucky Power Company for (1) a General Adjustment of its Rates for Electric Service; (2) Approval of Tariffs and Riders; (3) Approval of Accounting Practices to Establish Regulatory Assets and Liabilities; (4) Approval of a Certificate of Public Convenience and Necessity; and (5) All Other Required Approvals and Relief.

Issue: General rate case.

Oklahoma Corporation Commission Cause No. PUD 202000021: In the Matter of the Application of Oklahoma Gas and Electric Company for an Order of the Commission Approving a Recovery Mechanism for Expenditures Related to the Oklahoma Grid Enhancement Plan.

Issue: Seeking approval of a rider that allows for interim recovery of costs associated with expenditures made to enhance the grid.

Commonwealth of Virginia State Corporation Commission Case No. PUR-2020-00015: Application of Appalachian Power Company For a 2020 Triennial Review of the Rates, Terms and Conditions for the Provision of Generation, Distribution and Transmission Services Pursuant to § 56-585.1 A of the Code of Virginia.

Issue: General Rate Case.

Michigan Public Service Commission Case No. U-20697: In the matter of the application of Consumers Energy Company for authority to increase its rates for the generation and distribution of electricity and for other relief.

Issue: General rate case.

Florida Public Service Commission Consolidated Docket Nos. 20200067-EI, 20200069-EI, 20200070-EI, 20200071-EI: In re: Review of 2020-2029 Storm Protection Plan pursuant to Rule 25-6.030, F.A.C., Tampa Electric Company *et al.*

Issue: Seeking approval of Storm Protection Plans submitted by Tampa Electric Company, Duke Energy Florida, LLC, Gulf Power Company, and Florida Power & Light Company.

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Arkansas Public Service Commission Docket No. 20-027-U: In the Matter of the Application of Walmart Inc. for Approval to Bid Demand Response into Wholesale Electricity Markets Through an Aggregator of Retail Customers.

Issue: Seeking approval to bid demand response into MISO through a third-party aggregator.

Public Utility Commission of Texas Docket No. 49737, SOAH Docket No. 473-19-6862: Application of Southwestern Electric Power Company for Certificate of Convenience and Necessity Authorization and Related Relief for the Acquisition of Wind Generation Facilities.

Issue: Seeking approval to acquire a wind generation facility located in Oklahoma.

Louisiana Public Service Commission Docket No. U-35324: Application of Southwestern Power Company (SWEPCO) for Certification and Approval of the Acquisition of Certain Renewable Resources in Accordance with the MBM Order and the 1983 and 1994 General Orders.

Issue: Seeking approval to acquire a wind generation facility located in Oklahoma.

Commonwealth of Virginia State Corporation Commission Case No. PUR-2019-00201: Application of Virginia Electric and Power Company for approval of its 2019 DSM Update pursuant to § 56-585.1 A 5 of the Code of Virginia.

Issue: Seek approval to implement eleven new demand-side management programs, to extend existing programs - some with updated parameters and cost/benefit results, and to continue three rate adjustment clauses.

2019

Oklahoma Corporation Commission Cause No. PUD 201900048: Application of Public Service Company of Oklahoma for Approval of the Cost Recovery of the Selected Wind Facilities; A Determination there is a Need for the SWFs; Approval for Future Inclusion in Base Rates Cost Recovery of Prudent Costs Incurred by PSO for the SWFs; Approval of a Temporary Cost Recovery Rider; Approval of Certain Accounting Procedures Regarding Federal Production Tax Credits; and Such Other Relief the Commission Deems PSO in Entitled.

Issue: Seeking approval to acquire a wind generation facility located in Oklahoma and Wind Facility Asset Rider.

Commonwealth of Virginia State Corporation Commission Case No. PUR-2019-00094: Application of Virginia Electric and Power Company for Approval of a 100 Percent Renewable Energy Tariff, Designated Rider TRG, Pursuant to §§ 56-577 A 5 and 56-234 of the Code of Virginia.

Issue: Seek approval of a 100 percent renewable energy tariff.

Public Service Commission of South Carolina Docket No. 2019-239-E: In re: Dominion Energy South Carolina, Incorporated's Request for Approval of an Expanded Portfolio of Demand Side Management Programs, and a Modified Demand Side Management Rate Rider.

Issue: Seeking approval of an expanded Demand Side Management Plan and modified Demand Side Management Rate Rider.

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Arkansas Public Service Commission Docket No. 19-035-U: In the Matter of the Application of Southwestern Electric Power Company for Approval to Acquire Wind Generating Facilities Pursuant to the Arkansas Clean Energy Development Act.

Issue: Seeking approval to acquire a wind generation facility located in Oklahoma and Wind Facility Asset Rider.

Commonwealth of Virginia State Corporation Commission Case No. PUR-2019-00154: Petition of Virginia Electric and Power Company for approval of a plan for electric distribution grid transformation projects pursuant to § 56-585.1 A 6 of the Code of Virginia, and for approval of an addition to the terms and condition applicable to electric service.

Issue: Seeking approval of certain expenditures relating to grid improvement and grid hardening.

COMMISSION DOCKETS (Appearing as Attorney of Record)

2019

Public Utility Commission of Texas Docket No. 49421: Application of CenterPoint Energy Houston Electric, LLC for Authority to Change Rates.

Issue: General rate case

Public Utility Commission of Texas Docket No. 49494: Application of AEP Texas Inc. for Authority to Change Rates.

Issue: General rate case

Public Utility Commission of Colorado Docket No. 19AL-0268E: In the Matter of Advice Letter No. 1797 Filed by Public Service Company of Colorado to Reset the Currently Effective General Rate Schedule Adjustment (“GRSA”) as Applied to Base Rates for all Electric Rate Schedules as well as Implement a Base Rate kWh Charge, General Rate Schedule Adjustment-Energy (“GRSA-E”) to Become Effective June 20, 2019.

Issue: General rate case, Phase I

2018

Public Utility Commission of Texas Docket No. 48371: Entergy Texas, Inc.’s Statement of Intent and Application for Authority to Change Rates.

Issue: General rate case

Public Utility Commission of Colorado Docket No. 18M-0074EG: In the Matter of the Commission’s Consideration of the Impact of the Federal Tax Cuts and Jobs Act of 2017 on the Rates of Colorado Investor-Owned Electric and Natural Gas Utilities.

Issue: Commenced by the Commission to consider the impacts of the Tax Cut and Jobs Act of 2017 on the revenue requirements and rates of all Colorado investor-owned electric and natural gas utilities.

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2017

Public Utility Commission of Texas Docket No. 47461: Application of Southwestern Electric Power Company for Certificate of Convenience and Necessity Authorization and Related Relief for the Wind Catcher Energy Connection Project in Oklahoma.

Issue: Purchase of a wind generation facility and generation tie line.

Public Utility Commission of Texas Docket No. 47527: Application of Southwestern Public Service Company for Authority to Change Rates.

Issue: General rate case

Public Utility Commission of Colorado Docket No. 17A-0462EG: In the Matter of the Application of Public Service Company of Colorado for Approval of a Number of Strategic Issues Relating to its Electric and Gas Demand-Side Management Plan.

Issue: Seek Commission re-examination and approval of the overall objectives and structure of Public Service's DSM initiatives to guide the Company in designing future DSM plans.

Public Utility Commission of Colorado Docket No. 17AL-0649E: In the Matter of Advice Letter No. 1748-Electric Filed by Public Service Company of Colorado to Revise its PUC No. 8-Electric Tariff to Implement a General Rate Schedule Adjustment and Other Rate Changes Effective on Thirty Days' Notice.

Issue: General rate case, Phase I

Arkansas Public Service Commission Docket No. 17-038-U: In the Matter of the Application of Southwestern Electric Power Company for Approval to Acquire a Wind Generating Facility and to Construct a Dedicated Generation Tie Line.

Issue: Purchase of a wind generation facility and generation tie line.

Louisiana Public Service Commission Docket No. U-34619: Application for Expedited Certification and Approval of the Acquisition of Certain Renewable Resources and the Construction of a Generation Tie Pursuant to the 1983 and/or 1994 General Orders.

Issue: Purchase of a wind generation facility and generation tie line.

2016

Public Utility Commission of Colorado Docket No. 16AL-0048E: In the Matter of Advice Letter No. 1712-Electric Filed by Public Service Company of Colorado to Replace Colorado PUC No. 7-Electric Tariff with Colorado PUC No. 8-Electric Tariff.

Issue: General rate case, Phase II

Public Utility Commission of Colorado Docket No. 16A-0055E: In the Matter of the Application of Public Service Company of Colorado for Approval of its Solar*Connect Program.

Issue: Implement a voluntary solar program offering participating customers the ability to offset their current supply of energy from the Public Service system with solar energy produced at a dedicated facility or facilities.

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New Mexico Public Regulation Commission Docket No. 16-00276-UT: In the Matter of the Application of Public Service Company of New Mexico for Revision of its Retail Electric Rates Pursuant to Advice Notice No. 533.

Issue: General rate case

INDUSTRY TRAINING

- 2020 Practical Regulatory Training for the Electric Industry, Center for Public Utilities, New Mexico State University College of Business
- 2020 IPU Accounting and Ratemaking Course, Michigan State University
- 2016 and 2022 Western NARUC Utility Rate School
- EUCI Courses on the utility industry, cost allocation, and rate design.